Previous references.

File No. 5 07-
1904 05

190 4-05

III Legislative

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 – 9

PART B FOR all-round 1905

SUBJECT.

Preservation and protection of game and fish

FILE No. 5 of 1904-05.

Protection and Preservation of Game and Fish.

1 From the 1st Assistant Resident, No. 3502, dated the 23rd July 1904.
Forwards copy of a letter from the Government of India with a Draft bill to make better provision for the protection and preservation of game and fish and requests the co-operation of the Durbar with the British Authorities in securing an adequate protection of game in India.

2 To the Honorary Secretary, Game and Fish Preservation Association, Saklespur.
No. J. 63-3—Legis. 582, dated the 3rd September 1904.
Forwards copy of letter with the bill as in Serial No. 1 and requests the favor of their views on the bill in question.

To Colonel J. P. Grant, Survey and Inam Commissioner, No. J. 634—Leg. 5-2, dated 3rd September 1904.
Forwards copy of letter as above with a similar request.

To Mr. F. E. C. Carr, Inspector General of Police in Mysore, No. J. 635—Leg. 5-2, dated 3rd September 1902.
Same as above.

To Mr. Muthanna, Conservator of Forests.
Same as above.

3 From the Survey Commissioner in Mysore, No. 299, dated the 20th September 1904.
Forwards an expression of his views on the bill in question.

4 From the Inspector General of Police in Mysore, No. 1600—189, dated the 22nd September 1904.
States that he has no opinion to offer on the bill.

5 From the Survey Commissioner in Mysore, No. 515, dated the 11th November 1904.
Forwards copy of a letter from Mr. W. Vincombe Devi, Deputy Excise Commissioner in Mysore, expressing his views on the subject.

6 From the Conservator of Forests in Mysore, No. 4181, dated the 3rd December 1904.
States that in his opinion no special legislation of the nature now proposed seems called for.

7 From the same officer, No. 4182, dated the 3rd December 1904.
Forwards the opinion of Mr. G. E. Ricketts, Deputy Conservator of Forests in Mysore, stating that legislation for the protection of game is justifiable and desirable.

8 From the Honorary Secretary, Game and Fish Preservation Association, Saklespur, No. 2, dated the 24th December 1904.
States that the Association is in favor of Game Laws being brought into force into British India; that they would protest against the idea of their being one fee for Government officials and one fee for private residents; that visitors to the country should be charged higher; and that they are in favor of a very moderate fee being charged for shooting licenses on a sliding scale based on a month's salary.

To the First Assistant Resident, No. Pol. 747, dated the 3rd March 1905.
Forwards copies of letters No. 299, dated the 20th September 1904, and No. 2, dated 24th December 1904, from the Honorary Secretary, Game and Fish Preservation Association, communicating their views on the proposed bill of the Government of India.

G.R.S. 11] 1904.05

GENERAL AND REVENUE SECRETARIAT.

(Legislation)

NOTES.

File No. 5

FILE HEADING.

Preservation and protection of Game and Fish

From

The First Secretary to the Hon'ble the Resident

No. 3502 Dated 23rd July 04 Received 25th July 04

Diary No.	Enclos.	Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

Forwards copy of a letter from the Govt. of India with a draft bill to make better provision in the matter and requests the cooperation of the Darbar with the British authorities in securing an adequate protection of Game in India

NOTES AND ORDERS.

Put up for orders - with Game Regn file IL 1501K acts of rules under the Game Regulation

Jas 16/7

Rolee 23/7/04

DMS 23/7/04

2.) The scheme of the proposed legislation differs in many respects from that of our own.

NOTES—First sheet.

MGCPB—5,000—13-5-04

General and Revenue Secretariat.

File No. 5 of 1906-05

Serial No.

The Durbar are in entire sympathy with the measure & view or would decide to lay that every thing possible is being done as will be seen from our Regulations & Rules thereunder.

2/8/04

~~Submitted letter and draft~~

Now lay before the 2d Councillor

3.8.04

40/17/3.8.04

3.8.04

1.) Lds and thereby any action on any point no necessary now. The draft Bill is sent here for information.

Submitted to the Dewan Saheb

8.8.1904

8.) Has the Govt no suggestions to offer in this important matter? Send copies & papers for opinions of the following -

1. Same as para 6
2. A Grant
3. W. Carr
4. W. Muthanna Chetty

10.VIII.04

9.) My humble opinion was the same as that expressed by the Dy. Secy:- So, I subscribed to it & submitted the papers for orders.

12.8.1904

858/9.8.04.

Draft- according to

12.8.1904

NOTE—Contn. sheet.

MGCPB—10 000—19-5-04

[Two Marc Copies, then Govt]

General and Revenue Secretariat.

File No. 5 of 1904-05

Serial No.

A Draft of the Legislative Council Bill is sent. 10 spare copies are available.

Home
15/9/04

RG 15/8/04 RR 15.8.04 Copies have been obtained from the Press

Draft as adopted by the Legislative Council with a few printed copies.

RG 9/9/04 RR 2-9-04

Home
Secy
2/9

2 To the Honorary Secretary, Game & Fish Protection Association, Secunderabad. No. J633 Legislative 3/9/04

Forwards copy of letter from the Secretary, Vizagapatam with a draft bill & requests an expression of opinion on the bill

" H. J. Grant, Survey & Land Records Dept. Nilgiris No. J634 Legislative 3/9/04
" Revd. Jas. Despatch Postal Chess No. J635 Legislative 3/9/04
Mr Mukkamma, Conservator of Forests No. J636 Legislative 3/9/04.

Same as above

3 From the Surveys Commissioner in Mysore No. 295 dated the 20th Septr 1904.

Forwards an expression of his views on the bill in question

4. From the Despatch Postal Chess in Nilgiris No. 1665/87 dated 21st Septr 1904

NOTE—Contn. sheet.

MGCPB—10 000—19-5-04

General and Revenue Secretariat.

File No. 5 of 1904.

Serial No.	
5	States that he has no opinion to offer on the bill from the Survey Commissioner in Mysore No. 375 of the 11th November 1904.
	Forwards copy of a letter from Mr. W. Vincent Davy, Deputy Commissioner, expressing his views on the subject
6	From the Conservator of Forests in Mysore. No. 4181 of the 3rd December 1904.
	States that in his opinion no special legislation of the nature now proposed seems called for
7	From the same officer No. 4182 of the 3rd December 1904.
	Forwards a letter from Mr. J. S. Ricketts, Conservator of Forests in Mysore, stating that legislation for the protection of game is justifiable & desirable.
8	From the Honorary Secretary, Game & Fish Preservation Association No. 28 of the 24th Dec. 1904.
	States that the Association is in favor of Game Laws being brought into force into

NOTE—Contn. sheet.

MGCPB—10 000—19-5-04

Serial No.

British India; that they would protest against the idea of there being one fee for government officials & one fee for private visitors to the country should be charged higher; & that they are in favour of a very moderate fee being charged for shooting licenses & wishing scale based on a monthly salary.

dtd. The Dewan called for the views of the above Views

ere 31/12/04 SR 31/12/04

10) These opinions may be communicated to the Govt of Travancore. Probably they will be of use when considering the bill now before the Legislative Council.

Sd. 2.2.'05

Sealed by Secy.

4/2/05

11) Submitted to the Dewan Sahib thro the Secretary

6/2/1905

6/2/05

1896 6-2-05.

12. If we are to give an opinion we must be our own C. & not that of our officers who view however we may take into consideration for formulating our opinion.

Note—Contn. sheet.

MGCPB 10 C00—19-5-01

Serial No.

If any reply is proposed to be sent, may I see the draft-reply? Q.

7/2/05

7.2.1905

7/2/05

4666/8.2.05. 13) Should we may send copies of comms from the Corporation & Col Grant & ourselves to incorporate them in a letter - & we have only one spare copy to send

20.II.05

1st Comm

2025/21.2.05

21.2.1905

21.2.05

14) Seen - Q.

23/2/05.

Draft submitted to the Deputy Salute with draft to Residency. Q 23.2.1905

15) Draft submitted to the Deputy Secy 24/2/05

SW 24/2/05

16) Draft passed Q 25.2.1905

Record 6-3-05. Draft passed to Asst Resident No 1413 & 3/3/05

9 Forwards copies of Nos 3 & 8 for information

8/3/05

NOTE—Contn. sheet.

B. P. B.—4-04.—1,000.

Legislative 4-20

Leg S. of I.

No. 3502 Encl

From

R. C. H. MOSS. KING, Esq., I, C. S.,
FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

To

Pol no 124 dy 23-7-04 The Dewan of Mysore.

Dated Bangalore, 23d July 1904.

Sir,

I am directed to forward for the information of the Government of His Highness the Maharaja of Mysore copy of letter No. 1082/90, dated the 23rd May 1904 from the Government of India in the Home Department together with a draft bill to make better provision for the protection and preservation of game and fish and to request that the Durbar will be so good as to co-operate with the British authorities in securing an adequate protection of game in India.

I have the honour to be,

Sir,

Your most obedient servant,

First Assistant Resident

12

No. 1082/90

FROM

H. H. RISLEY, ESQ., C.I.E.,
Secretary to the Government of India,

TO

THE CHIEF SECRETARY TO THE GOVERNMENT OF MADRAS.
„ CHIEF SECRETARY TO THE GOVERNMENT OF BOMBAY.
„ CHIEF SECRETARY TO THE GOVERNMENT OF BENGAL.
„ CHIEF SECRETARY TO THE GOVERNMENT OF THE UNITED PROVINCES.
„ CHIEF SECRETARY TO THE GOVERNMENT OF THE PUNJAB.
„ CHIEF SECRETARY TO THE GOVERNMENT OF BURMA.
„ HONOURABLE THE CHIEF COMMISSIONER OF THE CENTRAL PROVINCES.
„ HONOURABLE THE CHIEF COMMISSIONER OF ASSAM.
„ CHIEF COMMISSIONER OF COORG.

Home Department.
Public.

Simla, the 23rd May 1904.

SIR,

IN Mr. Hewett's letter no. 2304—13, dated 31st August 1900, Local Governments were asked to report upon the nature and adequacy of the protection at present afforded to the wild birds of this country, and whether there was any danger of the extermination or serious diminution in the numbers of such birds, and more especially of insectivorous birds, and of those whose plumage possesses a commercial value. The replies received to this reference convinced the Government of India that the protection at present afforded was wholly inadequate, since not only was its legislative basis exceedingly limited in scope, but full advantage had not been taken even of the authority which the law conferred, while not unfrequently no serious attempt had been made to enforce such rules as had been framed. It appeared also that in many places certain species of birds had almost wholly disappeared, or had been so largely reduced in number as to be threatened with speedy extermination. And, indeed, this result was inevitable if no check was applied to their destruction. An examination of the customs returns for the last few years showed that the value of plumage exported from India by sea had, in a single year, mounted as high as Rs. 5,55,185; while the declared values of parcels of feathers forwarded by foreign post yielded a corresponding figure of Rs. 1,54,785. Accordingly, by Finance Department Notification no. 5028-S. R dated 19th September 1902, the Government of India prohibited, under the provisions of the Sea Customs Act, the export from India of the skins and feathers of birds; and, so far as the prohibition is not evaded, it will, it is believed, afford substantial protection to those numerous species of birds which are slaughtered chiefly on account of the value of their feathers.

2. While this matter was under examination, the attention of the Government of India was drawn to the wider question of the advisability of a general Game Law for the protection of game in India. In the Budget Debate of 27th March 1901 in the Supreme Legislative Council, the Honourable Sir Allan Arthur urged upon Government the expediency of providing such protection; during his visit to Burma in September 1901 His Excellency the Viceroy

was approached upon the subject in a public address ; and numerous other representations to a similar effect have been received by Government or have appeared in the public press. The question is not a new one. The Government of India have been addressed on the subject from time to time by various Local Governments, by the Bengal Chamber of Commerce, and by other non-official bodies during the last thirty years, and have given their approval to certain measures of purely local application ; but they have always refrained from sanctioning any general legislation. The subject is discussed at length in Home Department Resolution no. 40 of 29th August 1885, in reply to which, notwithstanding the strong lead given to the contrary, the Governments of all the larger provinces except Bengal advocated such legislation. Their proposals, however, were not approved; the correspondence was submitted for information to Secretary of State; and the outcome of the discussion was the Wild Birds Protection Act (XX of 1887), which applies to municipal and cantonment areas only. Subsequent suggestions for action of a wider nature have also failed to meet with acceptance, with the result that the legislative protection at present afforded to game is fragmentary and inadequate in the extreme.

3. The objections which can be taken to a general Game Law for India are easily stated. The protection of the cultivator's crops is a consideration to which all others must give way ; there are numerous, though strictly localised, forest tribes who, while forming but an infinitesimal portion of the total population, still depend largely upon the capture of game for their subsistence ; and no law could be justified which did not amply provide for both these matters. Apart from them, there is the general objection to the creation of new penal offences, the penalties for which must be enforced by a subordinate and often corrupt agency to whom the new provisions might afford new opportunities of extortion ; and this, more especially in the case of measures which might be represented as intended for the benefit of the single class of sportsmen. This is an objection, however, which is applicable to game laws all over the world ; and probably with even greater force elsewhere than in this country, since the natives of India are for the most part averse from taking animal life, so that the classes of persons who would be affected are, speaking generally, neither numerous nor important ; while the objection is directed against an inefficient administration of the law, rather than against the provisions of the law itself. Indeed, in past discussions on the subject, while the objections to legislation have been stated, the decision against it has been based, not on the ground that these objections are insuperable, but on the ground that no sufficient case for action has been made out. In paragraph 7 of the Resolution of 1885, already referred to, it is said :

> " The Governor General in Council believes it to be established that the extent to which wild birds are at present destroyed in India generally is not so considerable as has sometimes been alleged ; and that such diminution of wild life as has taken place is probably not more than is naturally and properly incidental to the extension of cultivation. As at present advised, His Excellency in Council does not consider that any very strong case has been made out for legislation."

4. It will be for Local Governments to advise the Government of India how far this statement is consistent with the facts as they at present stand ; and one of the objects of the present reference is to obtain that advice. But the Governor General in Council believes it to be a matter of notoriety that, however true the words just quoted may have been twenty years ago, they have most certainly ceased to apply at the present time with anything like generality. From all sides complaints reach him of the diminution, which in many cases has amounted to the virtual extermination, either of game in general or of certain important varieties of it, over large and increasing areas in all parts of India ; and there seems little doubt that, unless some remedial measures are adopted, game and other animals which possess a commercial value are destined before long to disappear almost wholly from a very large portion of the country. The reasons are not far to seek. It is probably hardly too much to say that almost every gun which is held under license, for whatever purpose the license may have

been granted, or is owned by a person who is exempt from the necessity for a license, is used more or less commonly for the destruction of game (where game still exists); though, in the case of licenses for the protection of crops the user is seldom, and in other cases by no means always, the holder of the license. In addition to this, birds and the smaller mammals are netted, snared and trapped in thousands, while the larger animals are run down or surrounded and clubbed or speared wholesale, when rain or snow makes the going heavy for small-footed beasts, or when floods have driven them to take refuge on small eminences. And all these methods of destruction are commonly resorted to with absolute disregard of immaturity, sex, or season. The bird on her eggs, or with chicks at foot, the gravid doe, the sucking fawn—all are fair spoil for the native net. Nor is it only natives who are to blame. The lower classes of Europeans and Eurasians who are exempt from the provisions of the Arms Act, are no less indiscriminate in their slaughter, and in many cases take illegal advantage of their exemption to employ unlicensed hunters to use their guns; while not a few of those Englishmen who visit India during the winter months are absolutely reckless in the destruction which they regard as "sport."

5. The Governor General in Council is unable to contemplate with equanimity the rapid diminution of game over the greater part of India. The subject is one which concerns not only the sportsman, but also the naturalist and the lover of animal life. The pursuit of game is one of the few relaxations which render life in the plains more tolerable than it otherwise would be, and assist in preserving the health of Europeans in this country; and its disappearance would materially diminish the amenities of life in India. The sportsman is brought into relations with the natives of the country which show him the best side of their characters, and assist him to acquire the spoken language of the peasantry,—results which possess a distinct value in the case of those whose work in life lies among the people. The number of natives who devote themselves to shikar as a means of livelihood is also considerable, and attendance upon sportsmen as trackers, hunters, or shikaris, provides a well paid occupation to many of the poorer classes who would greatly feel the loss of this employment, which is in many cases of a hereditary character and passes from father to son. Further, while the flesh of game birds and beasts probably forms a staple food in no part of India save among the forest tribes (though, after one of the battues already referred to, deer's flesh is often cheaper than goat's meat in the local market), yet it affords a welcome and reasonable luxury to the better classes of Europeans and Indians alike. It is believed to be beyond doubt that, in certain tracts, the diminution of forest game has compelled the beasts of prey to turn their attention to cattle, and even to human beings; while the wholesale destruction of insectivorous birds can hardly be without injurious effect upon the crops of the country. Finally, there seems no reason why those numerous wealthy Englishmen who yearly visit India for purposes of sport, should be allowed to indulge in it without payment or restriction, and to assist in reducing the fast diminishing facilities which are available to those who are resident in this country.

6. For all these reasons the Government of India, as at present advised, incline to the opinion that the time has come when a general Game Law may fairly and properly be applied to the whole of British India. At the present moment India is probably almost alone among civilised countries in possessing no such law. Even in such undeveloped provinces as the African Protectorates and the Soudan, legislation has been found necessary for the protection of the local fauna. Nor would such a measure be alien to the ideas of the country. The preservation of game for purposes of sport is a traditional incident of the prerogative of the Indian ruler, and there is hardly a native state in which it is not more or less preserved, while in Kashmir, in Mysore, and in Hyderabad, elaborate regulations have been framed for its protection, the beneficial result of which is already becoming apparent.

7. Any such law for British India should, however, at any rate as regards the greater part of its provisions, be merely empowering: it should be of general applicability, rather than of general application. If it is true that in some parts of India game has almost disappeared, it is also true that in other parts it is so numerous as to render cultivation almost or altogether impossible.

The Government of India have had instances of this quite recently under their notice, and in some cases it has even been found necessary to resort to special and costly measures in order to reduce the number of herbivorous wild animals. In such places it would be most wrong to impose any special restraints upon the destruction of such animals. In many parts again, while it would be perfectly legitimate to protect game in general, there are certain species—such, for instance, as antelope, or wild pig (which latter indeed are game only where the country is such that they can be ridden), which are so destructive that their slaughter should be encouraged rather than the reverse. Moreover, areas in which general protection is urgently required are often not far removed from others in which certain sorts of game are so abundant as to be pernicious. So again, a great number of the Indian game-birds are migratory, and need no protection, even against the extensive netting by which the markets are supplied. As already remarked, the case of the forest tribes (whose supply of food is endangered by the diminution of game) must be provided for by special local exemptions. And the professional shikari who supplies the native gentleman with a partridge for his dinner must not be unduly interfered with. Finally, the methods of destruction against which protection is chiefly needed vary in different localities. Thus, the Indian Game Law should be an empowering Act, so framed as to afford the widest possible latitude of adaptation to the varying conditions of different localities and administrations, and to the claims and usages of all classes of the community. In framing and applying it, the Governor General in Council is of opinion that three cardinal rules should be borne in mind: firstly, that wherever and so far as the preservation of game and the protection of crops are in substantial conflict, the former must give way to the latter; secondly, that no desire to preserve game, dangerous or otherwise, must be allowed to interfere with the destruction of wild beasts which are dangerous either to human beings or to cattle; and thirdly, that whatever measures are adopted must apply equally to Europeans as well as to natives, without distinction of race. The fact that so large a proportion of the population is dependent upon agriculture, and the small size of the holdings, which renders the ravages of wild animals especially injurious to the individual cultivator, renders the first of these principles of supreme importance; though in many parts of the country the rapid diminution or disappearance of game will prevent it from coming into operation.

8. Proceeding on these principles, the Government of India have prepared a draft Bill which is attached to this letter, and which I am directed to submit for the criticism and opinion of Local Governments. Omitting for the moment the use of firearms in the pursuit of game, and the protection of fish, the scheme of the Bill is simple. It authorises the Local Government (clause 2) to define the game to which its provisions shall apply in any local area, and provides a general definition which will take effect in the absence of such action on their part. It exempts (clause 3) from the provisions of the Bill certain acts, among which the destruction of dangerous beasts, and the destruction by a cultivator of a large animal which is damaging his crops, are included. It gives the Local Government (clause 5) the fullest power to regulate or prohibit the pursuit or capture of game with reference to kind, locality, season, and manner of capture, either absolutely, or subject to the conditions of a license. It reproduces (clause 7) the provisions of the Wild Birds Protection Act, which it is proposed to repeal. It provides (clauses 8 to 12) for the grant, inspection, and withdrawal of licenses; and it provides (clause 13) that they shall have full effect under the Arms Act, under which Act licenses for "sport" will no longer be granted, and that licenses granted under rules relating to Government forests shall have the same effect as if issued under the Game Law. Its penal provisions (clauses 14 to 21) are of great importance, and will require very careful consideration.

9. The use of firearms in the pursuit of game will be subject to the general provisions of the Bill. There are, however, certain provisions which specially apply to it. Clause 4 forbids that use absolutely, save under license; and this will of course apply to Europeans as well as to natives. Under clause 8 (2) the local authorities will have power to grant such licenses, to have effect throughout the whole of British India. Such a provision seems necessary, as it

would be intolerable for a sportsman to be compelled to apply for a new license every time he crossed the border of a province. The same consideration does not apply to other implements, since the operations of their users are always local. The provisions of clause 9 (3) and clause 12 are taken from the African rules on the subject. It is often important to limit the number of head which may be destroyed by an individual sportsman, of an animal which is comparatively rare, but of which it is unnecessary to prohibit the killing altogether. Such restrictions will depend upon local conditions, and will be local in their operation ; and so long as a license is granted for specified localities only, no difficulty will arise. In the case of a license which holds good for the whole of British India, it will be impossible to specify such restrictions, and they will apparently have to be imposed by rule. It is believed, however, that the cases in which such restrictions will be required are (so far as British India is concerned) practically confined to Government forests, in which a general license will not empower its holder to shoot ; and if this is so, no practical difficulty will arise. I am to invite an expression of the opinion of $\frac{\text{the Governor in Council}}{\text{His Honour the Lieutenant-Governor}}$ upon the matter.
your opinion

10. The power to fix a fee for each head of certain kinds of game is intended to be used mainly in the case of visitors to India. There seems to be no reason why the wealthy sportsman who visits India during the cold weather should not pay for permission to diminish the facilities for sport available to residents in this country. The first proviso to clause 10 has a similar object. The Soudan rules fix two rates of fees, the lower being payable by " an officer or official serving under or with the Soudan Government, or a resident approved by the Governor General, " and the higher by " any other person." The rates are, respectively, £3 and £25, and £1 and £5, according to the class of license ; in addition to which " other persons " pay fees in respect of every animal killed belonging to certain species, which vary from £1 for a hartebeest to £12 for a female elephant. The Government of India think that sportsmen in India might well be divided into three classes ; (1) natives of the country and residents in India in the service of the Crown, (2) other residents in India, and (3) visitors ; and that higher rates might be demanded from the third than from the second, and from the second than from the first.

11. Clause 6 of the Bill empowers the Local Government to establish a close season for fish in " any specified stream flowing through a hilly tract, or in the head-waters of any specified river " ; and the provisions of clause 7, and the penal provisions of the Bill generally, apply to fish equally with game. The Government of India have more than once been urged to provide a close season for fish throughout India. But in the great rivers, which spread their waters over alluvial plains for months together during the flood season, nature itself provides a close season during which they are inaccessible ; it has never been shown to the satisfaction of the Government that the supply of fish is sensibly diminishing ; and fish form such an important staple of food in many parts of India which are traversed by these rivers, that they have declined to make any general provisions beyond those contained in the Fisheries Act (IV of 1897). In the case of streams in hilly country, however, confined within a rocky bed, and in which freshets lasting at most for a day or two take the place of floods, most or all of those conditions are reversed ; and there is much evidence to show that, in many of these streams, the stock of fish has already been seriously reduced by illegitimate methods of capture, and the absence of a close season. Moreover these upper waters are used by the fish as breeding-grounds ; though it is impossible to say how far their denudation can seriously affect the supply in the hundreds of miles of river below them. But in the present connection, it is as game, rather than as food, that fish are to be regarded ; it is the hilly sections of the rivers alone that afford sport ; and the Government of India think that a close season might properly be established in them. It may be noted that the Mysore rules protect fish as well as game. I am to ask $\frac{\text{the opinion of His Excellency in Council}}{\text{His Honour's opinion}}$ upon the general question ; and also
your opinion
to invite suggestions as to whether the description of the waters in question, which is quoted from the Bill at the beginning of this paragraph, can be improved so as better to express the distinction which the Governor General in Council desires to draw.

12. There are certain minor points in the Bill regarding which I am to offer a few words of remark or explanation. It will be noticed that the provisional definition of game contained in clause 2 of the Bill omits all mention of beasts of prey; and that clause 3 (*a*) (ii) exempts from the operation of the Bill the pursuit, capture, or killing of "any animal for the destruction of which a reward may be claimed from the Government." This is in accordance with the principle laid down in paragraph 7 of this letter; and it seems illogical to do anything that shall discourage a destruction which we are doing our best to promote by the offer of a reward. On the other hand, it may be urged that there is no reason why an English visitor should be privileged to indulge in unlimited tiger-shooting without paying for it, and that the license-fee exacted from him will not be sufficient to prevent him from destroying as many tigers as he can. I am to invite an expression of the opinion of the Government of Madras / Bombay / etc. / your opinion upon this question. Elephants also have been excluded from the definition, as it is believed that they are sufficiently protected by the special Acts already in force. Another point upon which opinions are especially desired is the suitability of the provisions of the second proviso to clause 10, the object of which is self-apparent. The presumptions of clauses 18 and 21 will require very careful consideration. As at present advised, the Government of India are of opinion that they are reasonable in themselves, and that some such presumptions are necessary if the provisions of the Bill are to be effectually enforced. The presumption of clause 21 (*1*) finds an analogy in section 12 of the Arms Act (XI of 1878). The penalties provided by the Bill should also be scrutinised with reference to their adequacy, as it is believed that in parts of India the profits of illegitimate hunting are considerable.

13. Such are the legislative provisions which suggest themselves to the Government of India, and upon which an expression of opinion is desired. Various supplementary measures, which are also of great importance if the object in view is to be attained, but which involve no new legislation, are dealt with in my further letter of this date.

14. There are certain minor points upon which I am directed to solicit the opinions of Local Governments:—

(*a*) It has been suggested that one of the conditions of a license for the protection of crops or for the pursuit of game should be the prohibition of sitting up over water-holes in order to shoot the animals which come to drink, and that its infringement should be made a penal offence. This is undoubtedly one of the most injurious forms of poaching, and one which it is most desirable to discourage. On the other hand, it is doubtful whether a genuine offence would often be detected; while the fact that the offence is generally committed at night would render the fabrication of false charges particularly easy.

(*b*) It has been suggested that an export duty should be imposed upon horns, skins, and other trophies of game, the object being, not so much to tax genuine trophies of game shot by the private sportsman himself, as to prevent (as in the case of birds) the destruction of game in order to sell the horns and skins. The Soudan Ordinance imposes a very heavy export tax upon "specimens, living or dead, or parts of specimens," of a long list of animals and birds, the rates ranging from £50 for an elephant or rhinoceros, to £2 for a long-haired monkey. The question for decision appears to be whether the export of these articles has attained or is likely to attain such injurious dimensions as to justify the imposition of an export tax, and the proceedings, necessarily of a more or less inquisitorial nature, which will be required for its enforcement. I am to ask for information on this point. In any case it would probably be advisable to exempt the skins of dangerous wild beasts.

(*c*) It is believed that bird-nesting is seldom practised in India ; and, if so, it would appear unnecessary to include in the Bill any provision for the protection of eggs. I am to ask for information on this point also.

15. It is not improbable that the revenue from license-fees levied under the Bill will be considerable. The object in view being to protect game, and not to obtain revenue, it has occurred to the Government of India that the money might advantageously be devoted to the payment of a special officer, who would advise both themselves and Local Governments upon the administration of the Game Law. His duty would be to move about the country, and to report in what parts game was diminishing from want of sufficient protection, how far preservation had been successful, and whether it was being carried too far in certain localities ; and to advise upon the suitability of the local restrictions in force, and as to how far they were being evaded or enforced. He would also be in touch with sportsmen and sporting associations all over India. The objection may be taken that the officer in question might regard the subject too exclusively from the point of view of the sportsman or the naturalist, and might urge Governments to action which would be injurious to the interests of the people. But it should not be difficult to guard against this danger by care in the selection of the person to be appointed, who should be a naturalist rather than a sportsman, and one possessing knowledge of, and sympathy with, the natives. An alternative suggestion for the employment of the revenue from license-fees is, that guns should be provided *gratis* to those who hold licenses for the protection of crops or for the destruction of dangerous animals, and for that alone ; the gun remaining the property of Government, but being held on loan. I am to ask for opinions on these suggestions.

16. I have been directed to discuss the subject thus fully, because the Governor General in Council regards it as one of some importance, and also of considerable difficulty ; because any action of the nature contemplated is capable of being misrepresented in the native press ; and because, apart from this, it is necessary that if action be taken, it should be amply justified by the facts. The conclusions at which he has arrived, and which are set forth in this letter and its enclosures, are based upon information which is necessarily incomplete ; and I am to ask Local Governments to advise him how far the conditions which are therein described hold good of their respective territories ; whether they are of opinion that legislation for the protection of game is justifiable and desirable ; and how far they approve of the proposals now laid before them. They will doubtless consult such persons and associations as are best qualified to express an opinion, whether from the point of view of the sportsman and the naturalist, or with regard to the interests of the people.

I have the honour to be,

SIR,

Your most obedient servant,

H. H. RISLEY,

Secretary to the Government of India.

NO.

COPY forwarded to the Foreign Department / Department of Revenue and Agriculture / Legislative Department for further necessary action / information

By order,

R. NATHAN,

Depy. Secy. to the Govt. of India.

G. C. Press, Simla,—No. 477 H. D.—19·5·04.—412.—C. G. DE S.

BILL

TO

Make better provision for the protection and preservation of game and fish.

WHEREAS it is expedient to make better provision for the protection and preservation of game and fish; It is hereby enacted as follows:—

Short title, extent and commencement.

1. (*1*) This Act may be called the Game Protection Act, 1904.

(*2*) It extends to the whole of British India, including British Baluchistan, the Santhal Parganas and the Pargana of Spiti; and

(*3*) It shall come into force on such date as the Governor General in Council may, by notification in the Gazette of India, prescribe in this behalf.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context,—

(*1*) the expressions "game" and "large animal" shall have such meanings as the Local Government may, by notification in the local official Gazette, define for them respectively, either generally for all its territories or specially for particular local areas:

Provided that in the absence of any such definitions as aforesaid the said expressions shall have the following meanings, that is to say:—

(*a*) "game" shall mean the following animals when in their wild state, namely—

(*i*) all kinds of pigeons and sandgrouse;

(*ii*) all kinds of peafowl, jungle-fowl, pheasants, partridges, quail, spurfowl, bustards, floricans, and their congeners;

(*iii*) all kinds of geese and ducks and their congeners;

(*iv*) woodcock and all kinds of snipe;

(*v*) hares;

(*vi*) asses, all kinds of rhinoceroses, oxen, bison, and buffaloes, all kinds of sheep, goats, antelopes and their congeners, and all kinds of gazelles and deer; and

(*vii*) any other kind of animal which the Local Government may, by notification in the local official Gazette, declare to be one which it is desirable to preserve from extinction; and

(*b*) "large animal" shall mean any animal included in sub-clause (*vi*) of the definition of "game"; and

(*a*) "specified kind" when used in relation to game, large animals or fish, means any kind of game, large animals or fish whether distinguished by species, immaturity, sex or otherwise, which may be specified in this behalf.

3. Nothing in this Act or in any rules thereunder shall be deemed to affect—

Savings.

(*a*) the pursuit, capture or killing of—

(*i*) game by any non-commissioned officer or soldier subject to the Army Act or the Indian Articles of War, in accordance with any regulations made in that behalf by the Governor General in Council, or 44 & 45 Vict., c. 58. V of 1869.

(*ii*) any animal for the destruction of which a reward may be claimed from the Government, or

(*iii*) any large animal in self-defence, or

(*iv*) any large animal by a cultivator, or person employed by a cultivator, whose crop it is injuring; or

(*b*) anything done in accordance with any license for the possession of arms and ammunition for the protection of crops or the destruction of dangerous animals granted under the Indian Arms Act, 1878. XI of 1878.

Prohibitory Provisions.

4. No fire-arms shall be used or carried for the killing of game except under and in accordance with the conditions of a license granted under this Act or of a license under the Indian Arms Act, 1878, of the nature referred to in section 3, clause (*b*). XI of 1878.

Prohibition of use of fire-arms for killing game except under license.

5. Subject to such exceptions and conditions as it may think fit, the Local Government may, by notification in the local official Gazette, prohibit, within any local area, either throughout the year or during a part thereof, the capture or killing or the attempt to capture or kill—

Power to Local Government to prohibit capture or killing of game in certain areas except under license.

(*a*) all game or any specified kind of game, or

(*b*) all game or any specified kind of game, by any specified means or in any specified manner

either absolutely or except under and in accordance with the terms and conditions of a license granted under this Act.

6. (*1*) The Local Government may, by notification in the local official Gazette, prohibit the capture or killing of, or the attempt to capture or kill, all fish or any specified kind of fish during any specified part of the year in any specified stream flowing through a hilly tract, or in the head-

Power to prohibit capture or killing of fish in certain waters.

waters of any specified river, or in any specified part of such stream or head-waters.

(2) A notification under this section in regard to any specified stream or head-waters, or any part thereof, shall be conclusive proof of the truth of the matters stated therein.

Power to prohibit possession or sale of game or fish in, and importation of plumage into, municipal or cantonment area.

7. Subject to such exceptions and conditions as it may think fit, the Local Government may, by notification in the local official Gazette, prohibit, during any specified part of the year, the possession or sale within the limits of any municipality or cantonment of all game or fish or of any specified kind of game or fish which has been recently captured or killed, or the importation into any such limits of the plumage of any specified kind of game.

Provisions as to Licenses.

Grant and cancellation of licenses.

8. (1) Save as provided in sub-section (2), licenses under this Act shall be granted by the authorities empowered by rule made under this Act to grant the same.

(2) Subject to any general or special orders which the Governor General in Council may, by notification in the Gazette of India, issue in this behalf, the Local Government, or any officer not below the rank of a Commissioner, or, in the Presidency of Madras, a Collector, who has been authorized in this behalf by the Local Government, may grant licenses under this Act authorizing the use or carrying of fire-arms for the killing of game throughout the whole of British India.

(3) Subject to any rules made in this behalf by the Local Government, the Collector, or any authority empowered to grant a license, may cancel any license granted under this Act—

(a) when the holder or any of the holders has been convicted of an offence against the provisions of this Act, or

(b) when it is shown to his satisfaction that any of the terms or conditions of the license has been infringed.

Terms and conditions of licenses.

9. (1) In addition to any terms and conditions which may be prescribed by any rules made by the Local Government under this Act, every license granted under this Act shall be deemed to be granted subject to the terms and conditions set forth in any notification for the time being in force under section 5.

(2) Every such license shall specify—

(a) the area within which it is to be in force ;

(b) the instruments which may be used under it, and, in the case of a weapon to which the provisions of the Indian Arms Act, 1878, apply, the person or persons by whom alone such weapon may be used or carried ; and XI of 1878.

(*c*) when the license is to be so restricted the specified kinds of game, the periods, and the methods of capture or killing to which alone it is to apply.

(*3*) Where any such license authorizes the use of fire-arms, the license may limit the number of head of any specified kind of large animal which the holder may kill, and may fix a fee to be paid in respect of each such head actually killed by him.

(*4*) Every hunter, beater and other assistant aiding the holder of a license granted under this Act in the pursuit, capture or killing of game in accordance with the terms and conditions of such license shall, while so aiding, be protected by such license.

Period of, and fees for, licenses.

10. Every license granted under this Act shall be non-transferable, and shall be granted, and may from time to time be renewed, for any period not exceeding one year, and a fee of twenty rupees shall be payable on the issue, and also on each renewal, thereof:

Provided, firstly, that the Governor General in Council may, by notification in the Gazette of India, require that a higher fee shall be payable, and that security shall be deposited, on the issue or renewal of any specified class of license or on the issue or renewal of licenses to any specified class of persons:

Provided, secondly, that a fee of five rupees only shall be payable on the issue or renewal of a license to an owner of agricultural land to be in force exclusively with in the village or villages in which such land is situate and within a local area which, if it includes more than one village, does not exceed fifteen hundred acres: and

Provided, thirdly, that the Local Government may exempt any specified class of persons in any local area from the payment of fees on the issue or renewal of licenses which do not authorize the use of fire-arms.

Duty of license-holders to produce and deliver up licenses.

11. Every holder of a license granted under this Act shall be bound to—

(*a*) produce such license for inspection at any time on being required to do so by any Magistrate, or by any Police-officer not below the rank of Inspector or within a forest by any Forest-officer not below the rank of Extra Assistant Conservator; and

(*b*) upon the expiry of the period for which his license was granted or upon leaving India, whichever is sooner, deliver up such license to the Collector or to any authority empowered to grant a license or to the principal Police-officer in the district or Presidency-town in which he then is.

Duty of certain license-holders to keep account of game killed.

12. Every holder of a license granted under this Act, limiting the number of head of any specified kind of large animal which the holder may kill, shall—

(*a*) keep an account of all such head actually killed by him, showing the sex of each and the date upon and place at which it was killed ;

(*b*) produce such account on being required to do so by any Magistrate, or by any Police-officer not below the rank of Inspector, or within a forest by any Forest-officer not below the rank of Extra Assistant Conservator ; and

(*c*) upon the expiry of the period for which his license was granted, or upon leaving India, whichever is sooner, deliver up such account, together with his license, to the principal Police-officer in the district or Presidency-town in which he then is.

Exemption of licenses under this Act from obligation under Act XI of 1878, and effect of licenses under Forest enactments.

13. (*1*) Notwithstanding anything to the contrary in the Indian Arms Act, 1878, or the rules made thereunder, a person holding a license under this Act, authorizing him to use or carry, for the capture or killing of game, a weapon to which the Indian Arms Act, 1878, applies when used or carried by such person, shall be exempt from the obligation to take out a license of a like nature for the same local area and weapon under that Act. XI of 1878. XI of 1878.

(*2*) Every license granted under the provisions of any enactment relating to forests for the time being in force, which permits any person to capture or kill game, shall have the effect of a like license granted under this Act.

Penal Provisions.

Penalty for using or carrying fire-arm in contravention of section 4.

14. Whoever uses or carries any fire-arm for the killing of game in contravention of the provisions of section 4 shall be punishable with fine which may extend to one thousand rupees, and the fire-arm may, on the order of the convicting Court, be confiscated.

Penalty for illegal capture or killing of game or fish.

15. (*1*) Whoever captures or kills, or attempts to capture or kill, any game or fish in contravention of this Act, or of any rule or notification made or issued thereunder, or of the terms and conditions of any license granted thereunder, shall be punishable—

(*a*) on the first conviction, with fine which may extend—

(*i*) to one hundred rupees, or

(*ii*) to twenty rupees in respect of each large animal, and five rupees in

respect of each other animal, in respect of which the offence was committed;

as the Magistrate or Court may think fit;

(*b*) on the second conviction, with imprisonment for a term which may extend to one month, and fine which may extend to double the amou nts aforesaid; and

(*c*) on the third or any subsequent conviction, with imprisonment for a term which may extend to three months, and fine which may extend to treble the amounts aforesaid.

(*2*) The Court convicting any person under sub-section (*1*) shall order the confiscation of the animals (if they or any parts of them are before it) in respect of which the offence was committed, and the instruments and dogs, or other animals (if any) with which the offence was committed, and shall send them to the Collector:

Provided that the Collector may, if he thinks fit, by an order in writing recorded with the reasons therefor, direct the release from confiscation of any such animals, instruments, dogs or other animals so sent to him.

Penalty for failure to keep prescribed account of game killed

16. Whoever, being the holder of a license granted under this Act, limiting the number of head of any specified kind of large animal which the holder may kill—

(*a*) fails without reasonable excuse (the burden of proving which shall be upon him) to keep the account prescribed by section 12, or makes any false entry therein, or, for the space of forty-eight hours, omits to make the required entry therein, or

(*b*) kills more head of any specified kind of large animal than is permitted by his license,

shall be punishable with fine which may extend to five hundred rupees in respect of every head regarding which he so failed or made a false entry or omitted to make such entry as aforesaid or killed in excess of the number so permitted.

Penalty for illegal possession or sale of game or fish or importation of plumage

17. (*1*) Whoever is in possession of, or offers for sale, any game or fish or imports any plumage, in contravention of the provisions of section 7, shall be punishable, on the first conviction, with fine which may extend to five rupees, and on a second or subsequent conviction, with fine which may extend to ten rupees, in respect of every animal or any plumage so possessed, offered for sale or imported.

(*2*) The Court convicting any person under sub-section (*1*) may in its discretion confiscate the animals (if they or any parts of them are before it) and shall confiscate the plumage.

Presumption of commission of certain offences.

18. (*1*) Where any person is found in possession—

(*a*) of any game recently captured or killed in any area within a period during which its capture or killing is absolutely prohibited within such area by a notification under section 5, or

(*b*) of any fish in the vicinity of any stream or the head-waters of any river within a period during which its capture or killing is absolutely prohibited in such stream or head-waters by a notification under section 6,

the Court may presume that he has committed an offence punishable under section 15, sub-section (*1*).

(*2*) Where any person is found carrying any game or fish recently captured or killed, together with any fire-arms or instruments with which such game or fish might have been so captured or killed, the Court may presume that he has captured or killed such game or fish with such fire-arms or instruments as aforesaid.

Duty of Court as regards cancellation of licenses.

19. When the holder of a license granted under this Act has been convicted of an offence thereunder, the convicting Court shall send a copy of its judgment, together with the license (if before the Court) to the Collector or to the nearest authority empowered to cancel the license under this Act with a view to the cancellation of such license, by the Collector or such authority, as the case may be.

Power of seizure when offence committed in presence of certain officers and persons.

20. Where any person commits an offence against the provisions of this Act in the presence of a Magistrate, or Police-officer or, within a forest, of a forest-officer, or of any other person authorized in this behalf by the Local Government, such Magistrate, officer or person may seize any arms or other instruments or any dogs or other animal used in the commission of such offence, and shall send them without unnecessary delay, together with a report of the circumstances, to a Magistrate competent to take cognizance of the alleged offence upon information so received.

[*Cf.* Indian Arms Act, 1878, s. 12.]

Power of seizure in case of reasonable suspicion.

21. (*1*) Where any person is found carrying arms or other instruments in such circumstances as to afford reasonable ground for the suspicion that he is carrying the same with intent to use them, or that they may be used, in contravention of any of the provisions of this Act, or of any rule made or notification or license issued thereunder, any Magistrate, or Police-officer or, within a forest, any forest-officer, or any other person authorized in this behalf by the Local Government may seize the arms or

instruments, and shall send them without unnecessary delay to the Collector.

(2) The Collector to whom any arms or other instruments are sent under sub-section (1) shall summon the owner if known; and, if the owner appears and claims them at any time within one year from the date on which they were received in the office of the Collector, the Collector shall hear him, and may, if satisfied, after such enquiry as he thinks fit, that there was any such intention as aforesaid, cancel the license (if any) of the owner.

(3) Any arms or other instruments sent to the Collector under sub-section (1) shall, if the owner does not appear and claim them within the period fixed by sub-section (2), or if their possession without a license was illegal and the owner fails to produce the necessary license or such license is cancelled as aforesaid, be confiscated.

Rules.

Rules.

22. (1) The Local Government may, by notification in the local official Gazette, make rules to carry out the purposes and objects of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may—

(a) declare the authority by which licenses may be granted or cancelled under this Act;

(b) prescribe the terms and conditions subject to which such licenses are to be granted; and

(c) provide for appeals from orders made under this Act otherwise than by a Magistrate or Court.

(3) Such rules may be either of general application or applicable only in specified local areas or to specified classes of persons, and shall, when so published as aforesaid, have effect as if enacted in this Act.

Repeal.

Repeal.

23. The Wild Birds Protection Act, 1887, is hereby repealed. XX of 1887.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

A

BILL

TO

Make better provision for the protection and preservation of game and fish.

G. C. Press, Simla.—No. 411 H. D.—16-3-04.—4000.—E. D.

G.R.S. 26]

File No. 59/4-05

Serial No. 1.

Diary No. of letter replied to

No. J 4/2 Exn: I
Regis 5-2

General and Revenue Secretariat
(Legislation)
, the 15/8/ 1904

To

The Superintendent,
Government Press,
Bangalore.

Date of issue 16/8/04

Signed by Mr KS Chandrasekhara Aiyar

Has the honor to request that he may be so good as to cause a dozen copies of the accompanying letter No. 1082/50, dated the 23rd May 1904, from the Secretary to the Government of India and its enclosure to be printed as quickly as possible and the same forwarded to the Judicial and Legislative Section of this office. The originals may be returned when done with.

By order

Secretary

over.

15/8/04

15.8.04

SUBJECT.

G.A.S. 26]

File No. 5

Serial No. 2

Diary No. of letter replied to

No. J/683 Leg 5-2

No. ~~J/633 Leg 5-2~~

General and Rev. Secretariat
(Legislation)
, the 3/9/1904

To

The Honorary Secretary,
Game & Fish Preservation
Association, Bangalore.

J/634 Leg 5-2 Lt. Col. J. S. Grant. Survey Supdt.

J/635 Leg 5-2 Mr. Lee Warner. Inspr. General of Police

J/636 Leg 5-2. The Conservator of Forests in Mysore

Date of issue 3/9/04

Signed by ~~Mr. B. K. Venkat~~ Varadarajayya

Sir,

I am directed to forward herewith a copy of letter No. 2082/30 dated the 23rd May 1904 from the Government of India in the Home Department together with a draft of the Bill to make better provision for the preservation and protection of game and fish and to request that ~~he~~ you will be so good as to

over.

SUBJECT.

10

favour the Government with
an expression of ~~his~~ Your views on the Bill in question
~~in the shape of the~~ on the Heads proposed
to be passed by the Government
of India.

I have &c

Govt
of India

MG
1/9/04 NDR 2.9.04

List of enclosures.

Copied by V. Rha R. 2-9-04

Examined by NM. 2-9-04

81 No. 3 dated 25-9-04

Dated Bangalore 20th September 04

From

Col. J. P. Grant,
Survey Commissioner,
in Mysore.

To,

B. K. Venkatavarada Iyengar Esqr.
Secretary to the Government of
His Highness the Maharaja
of Mysore
General and Revenue Departments

Sir,

I have the honor to acknowledge the receipt of your letter No. J. 634 / Leg 15-2 of the 2nd instant forwarding copies of letter No. 1082-90 from the Government of India in the Home Department, and of draft of a Bill to make better provision for the preservation and protection of fame and fish, and asking for an expression of my views.

2 The Subject is rightly stated in

the Government of India letter to be one of considerable difficulty. it is also wide and many sided and it is not easy to draw the line between how much it is necessary to say and how much one would wish to say I will however try to reduce my remarks to some sort of method by dealing consecutively with the necessity for legislation, the scheme of the Bill and the points upon which the Government of India asks for Special opinion, concluding with a few general remarks.

3. In my opinion legislation is both desirable and justifiable. Amongst the objections which could be taken to a general Game Law the protection of the cultivators' crops has been given undue importance. No cultivator expects or asks for more than the power to protect his crops. As an instance I would cite the Coffee planters in Southern India whose crops undoubtedly suffer from the ravages of game and yet these men are the Stoutest advocates of a Game Law.

for those generally who depend upon game for their Subsistence. In the case of localised tribes it will be easy to legislate but it will be very difficult to distinguish, in other cases, who are, or are not, wholly dependent for Subsistence on game, however the Act is framed to do the best possible and this point need not be considered amongst insuperable objections As to other classes, whether we have no good word for the killer of game for gain especially by the use of the net, or whether we Sympathise, as I myself and a good many Sportsmen do, with the villager, here and there, of really Sporting tendencies, and with the villagers who have their occasional Shikaring holiday (known in Mysore as Äitvar Byaté or Sunday Shikar) the broad fact remains that indigenous game is being exterminated at such a rate as to nullify the element of reproduction and in a few years there will be no game, excepting that which is migratory, for the exceptional classes

to live upon or for any one to concern himself about. Surely under such circumstances it is right to enforce a little economy upon those improvident people by legislation which will give reproduction, a power of incredible activity, a chance. In the end the conditions, under a little careful legislation, will be more favourable, even for the people for whom we at present have some natural although short sighted sympathy. I have nothing to add to the able exposition of the sporting and other sides of the question in the letter of the Government of India, in which I fully concur.

4. Next, as regards the Scheme of the Bill It is stated that of necessity, deemed insuperable, the Indian Game Law must be essentially an empowering Act But for this necessity the Bill would have been received more cordially and more intelligently by the public who miss direct and immediate

clause 5 especially regarding such mea-
-sures as Close Season the prohibition
of the killing of young, females and
immature males of certain "large ani-
mals" netting, Snaring, poisoning and
dynamiting Stream, All of which
they are accustomed to regard as inse
-parable from any Game Law. They
must be content however to await
the action of Local Governments under
the empowering clauses. For myself,
I think that the best results from the
proposed enactment may be expected
so far as "large animals" are concerned,
but I think that, as regards all other
indigenous Game, their diminution
and very early extinction are foregone
conclusions, unless the truth be recogni
-zed, when the Local Governments come
to take action, that fire arms represent
quite a minor factor in destruction
and that netting and Snaring cause
fifty fold the destruction the Gun causes.

In the destruction of large animals the gun is paramount, in the destruction of other game netting and Snaring. I do not know how this may be in other parts of India but in Southern India my remarks Strictly apply.

5. Confining my remarks to Such of the Clauses of the Bill as I hold Strong opinions upon, I offer the following.

Clause 10. I do not understand on what principles the fee, for the license to be taken out under clause 4, is fixed at the uniform rate of Rs 20 Based upon the damage done and the gain to the holder a righteous apportionment of the fee would be Rs 30, or even more, for killing "large animals", and about Rs 5 for killing all other game. I am aware of course that there are objections to issuing Licenses conferring different privileges, I merely Suggest the point for consideration. An adjustment of the fee territorially would not I fear be possible, because — antelope have a different habitat to other

upon is that if the rate of fee must, per force, be uniform, it must be based, not upon the highest or even the average, but upon the lowest rate deemed fair for any part of the country to which the Act extends. Proviso 1 provides for the enhancement but not for the reduction of the rate of fee. If the rate must be uniform Rs 10 is in my opinion Sufficient.

Proviso 2. It seems to me illogical to enact a fee from the holder of agricultural land for doing what the Act permits him to do, and to enact a fee at all would be construed into a tacit admission that the agriculturist was fully expected to do a little more than merely protect his crops. The second portion of Proviso 2 I regard as the most dangerous feature of the whole Bill. Villages run up to from 10 to 15 Square miles in some tracts and cases of men holdin

land in two, three, and more villages are quite common. Under such conditions, should a System of licenses under Proviso 2 take deep root, the effect would be to raise and almost educate, an army of Shooters, where none now exist. Every holder of agricultural land must of course be permitted to defend his crops but this is all I have ever heard any of them ask for.

I would entirely omit Proviso 2 of Clause 10 and simply, as has been done in Mysore, provide that nothing in the Act shall prevent any owner or occupant of land from killing or pursuing game doing damage to any crop growing thereon, so far as the same may be necessary for the protection of the crop

Proviso 3. I confess that I do not understand the distinction in the nature of licenses here drawn.

the list of persons, before whom licenses must be produced when so required, to Village Officers, the Patel and Shanboy as they are called in Mysore. I do not know how it may be in other parts of India but in Mysore, Bombay and Madras, an officer Specially appointed to watch a Game Law would find his best aid in the Patel, indeed would be unwise to attempt to work without enlisting his Services The Patel is a local man, with Strong local interests, often very influential, and is in every case a paid Servant of Government. In Mysore the Village Officers have been given the power I am Suggesting for them here. The question whether Servants wearing the distinguishing badge of a recognized Game Association should also be added to the list is important and should

be considered. I am in favour of this being done.

I do not observe any penalty prescribed for refusing to produce, or give Satisfactory reference regarding, licenses, when called for under this Clause, unless indeed Clause 21(1) applies.

Clause 13(2) If the permission under any Forest enactment included a fee at least equal to that laid down in the Act, this provision seems fair, otherwise I should consider it unsound. I fear I may not have understood what is intended, and no explanation is given.

Clauses 14 to 21. The penalties need not be so heavy. Game Laws in my experience prove insufficient, not because the licuse fee is a little too high or a little too low, or because penalties are a little heavy or the reverse but simply and solely from indifference. Those in authority, in a position to take advantage of the power the law

confers are indifferent, and those who do take keen interest have no authority The excellent suggestion at Para 15 of the letter from the Govt of India to appoint a Special Officer to watch and advise on the working of the Act would, in this view if acted on, admit of the penalties being kept lower,

The penalty under Clause 17 for a grave and important offence — may in itself be sufficient — but strikes me as very light in contrast to the penalties prescribed generally I am not at all sure that Clauses 20 and 21 are advisable. They entail, a procedure calculated to lead either to conflict or oppression, as the offender happens to be influential or the reverse. So long as it can be ensured that offences finally come before the Courts I think that Summary Seizure on the Spot need not be provided for.

Coming to the points on which opinion is specially required and quoting the Paragraph of the Government of India letter. Para 9. Opinion seems to be required as to the probability of there being many cases in which restrictions, under Clause 9. (3), will be required. In Southern India the only animal (the Neilgherry Ibex excepted) which might possibly require a limit being put to its distinction is the Bison The importance of the Government forests as a refuge and breeding ground for this animal will I believe render restrictions unnecessary on its behalf. This is the only bearing that in my opinion Government forests have upon the question. The necessity for restrictions hinges on the fact of any animal becoming rare and if, for instance the Bison becomes rare, the application of 9 (3), if the provision is to be of any use, must extend to Government forests.

I think that there are certainly

is necessary, which could not strictly be said to either flow through hill tracts or to be Head-waters, but I am unable to suggest any improvement on the description given of the waters proposed to be legislated for.

Para 12 The destruction of beasts of prey, especially of tigers, is not always desirable, in places, for instance, where they kill but few cattle and are never man-eaters but keep down the wild pig which, on the Slopes of and below the Ghats, do incalculable injury to the Crops and nowhere is the tiger regarded with less fear than in those heavily wooded tracts, but Government, by offering a reward for tigers, regardless of local circumstances, must accept the proposition that not only the tiger but all beasts of prey for the destruction of which a reward is offered should be destroyed. It would consequently I think be highly illogical to make

English

English visitors to India pay for tiger shooting.
It would greatly please me to see it done
but, looking at the objects of the proposed
enactment, it strikes me that, excepting
in the Saving Clauses, provisions for ani-
mals, not game, should be introduced
as little as possible.

I have already given my opinion
regarding Clauses 18 and 21

The Second Proviso to Clause 10 I regard
as unnecessary and dangerous in
the highest degree to the objects of
the Bill.

Para 14 (a) My opinion on the point
here raised seems unnecessary as I
cannot bring myself to regard the
issue of licenses for the protection of
crops as anything but a grave mistake.
I may however observe that the sitting
over water-holes, or any other water, a
practice which no doubt is rapidly
sweeping away the game, can be
provided for under Clause 5 (b) and
is moreover comprised in the

prohibition which Local Governments surely fulminate against the killing of young, females and immature males of certain classes.

(b) I am not able to give any reliable information as to how far the export of horns, skins and other trophies of game has gone but I am entirely in favour of an export duty, not exempting the skins of dangerous wild beasts. The Taxidermist and trader largely incite the Native Shikaries, at ridiculously inadequate rates to the latter, to procure skins, which command a very high price to the former.

(c) Bird nesting is seldom practised in India but there can be no harm in making provision for the protection of eggs.

Para 15. The suggestion here is excellent and one which I have long advocated without success. An Officer Specially appointed, and in the manner suggested would counteract the idiosyncrasies

and indifference, none so far [illegible]
many are responsible, of the ordinary
authorities. That he might urge Govern-
-ment too zealously is a Suggestion un-
worthy of consideration That the Offici
should be a naturalist seems right
enough but he must also be to some
extent a Sportsman The alternative
Suggestion that Guns should be provided
gratis to those who hold licenses for the
protection of crops I will not discuss as
I approve of neither the licenses nor the
Suggestion

7. I have, so far, regarded this draft
Bill as likely to come fully into opera-
-tion and have therefore criticized, I
hope not too freely, all its Clauses, but
the Government of India invites free
discussion and I will note briefly
how the whole question presents itself
to my mind The proposals made
are certainly just but the question
is, are they fully necessary and
expedient? A remedy is required,

animals are being steadily and surely exterminated, the main mighty factor being indiscriminate slaughter regardless of age, sex, or season and, subsidiary to this main factor, are the methods adopted, the chief of these latter being night-shooting over water, the use of the net being in the case of large animals, antelope to some extent excepted, quite a minor factor. Indigenous game other than "large animals, and for the time excepting migratory birds, is being just as surely exterminated, the main factor in destruction being netting and snaring, regardless of season, the gun being quite a minor factor. Netting I may observe will in the end leave no game, whether practised in or out of season. The villagers battues, often of a holiday character, with sticks, dogs and nets are answerable for much destruction. Migratory birds

avoid

need not touch upon.

8. It is obvious that two main classes of game, (1) large animals" and (2) indigenous other game, almost territorialy separable, are being exterminated by acts very distinctive as regards each class. The remedy must be equally distinctive First, as regards "large animals" the gun is rightly regarded as the Chief instrument of destruction and I take it that there is no idea of concealing the fact that a license to carry fire arms is imposed with the object of reducing the number of guns and making it easier to identify offenders against the rules which will later appear against indiscriminate, out of season, slaughter. I grant ~~that~~ that these objects will to some extent be attained but I will at once come to my point and ask whether, considering that the Game Law is to extend to the whole of British India and that the taking out

nuisance even by those who do not care what it costs, while the poorer Sportsman feel it both as a nuisance and a drain on their small means, the proposed Game Law should not, at any rate to begin with, be aimed, not at the instrument but solely at the acts which are steadily exterminating Game.
I presume of course that the Indian Arms Act of 1878 does a great deal to check the keeping of fire arms.

As regards indigenous game, other than "large animals", netting and killing out of season prohibited, my remark as above about the Gun license gather far greater strength for fire arms do comparatively little harm.

9 Public feeling has now had time to show itself and there can be no doubt that what falls all, both great and small, is the necessity of taking out a license.

270. I make these remarks with some diffidence for I have myself advocated the license feature of Game Laws, but that was because I grasped at any means of Stopping the destruction of Game and did not trust the executive to carry out other measures. In British India the question assumes a different aspect and, with the appointment of a Special officer, which the question of funds should not be allowed to influence and a determined set against acts, not instruments, I feel sure that — Great results will follow

It is astonishing what a very little in the way of bringing offenders to account, under quite moderate penalties, will effect; it is indifference on the part of those who could but will not take advantage of the power conferred by a Game Law that

Operation ineffective.

11. There is a great deal more that might be said on this interesting Subject but I have already taken up too much Space.

I have the honor to be
Sir
Your most Obedient Servant

J P Smith

Survey Commissioner
in Mysore

III
Game Rules
(Legislation)

SR No 4
Log 5 of 1905

3 2 1673

1904 - 1905.

From,

The Inspector General of Police
in Mysore.

To,

The Secretary to the Govt.
of H. H. the Maharaja
of Mysore in the Genl.
and Rev. Depts.

Dated.
Despatched 22 September 1904
Received
General No 1600
No 187

Enclosure No

Stating that the
Inspector-General has no
Suggestions to make regarding
the draft bill re the pre-
servation and protection
of Game and Fish.

No 1600/18

Office of the
Inspector General of Police in Mysore.

Dated Bangalore. 20th September 1904.
22

From,

F. E. b. Carr Esquire,
Inspector General of Police
in Mysore.

To, B. K. Venkatāvaradaiengar Esqr,
Secretary to the Government of
His Highness the Maharaja
of Mysore.
in the Genl & Rev. Depts.

Sir,

Reference:-

your letter No 635/Leg 5-2 dated 2nd September 1904, forwarding for an expression of my views copy of letter No 1082/90 dated 23rd May 1904 from the Government of India together with a draft

draft of the bill to make better provision for the preservation and protection of Game and Fish.

I have the honor to State that I have no Suggestions to make.

I have the honor to be,

Sir,

Your most obedient Servant,

D. E. Cameron

Inspector General of Police
CR

81 N° 3
Leg 25 pce 1983 W/U

No 515
Enc 1

Survey Commissioner's Office
Dated Bangalore 11th Novr 1904

From

Colonel J. P. Grant,
Survey Commissioner
in Mysore

To

B. N. Venkatavarda Iyengar Esqr
Secretary to the Govt of Mysore
General and Rev Departments

Sir,

In continuation of my letter No. 299 of the 20th September 1904 on the Game Protection Act 1904, I have the honor to forward copy of a letter from Mr. W Vinicombe Davy Deputy Excise Commissioner in Mysore to whom I had sent my letter for opinion.

2. As all criticism is useful in regard to this important Act and

Mr S W Vincombe Davy is an Officer who has had as much experience as most men I thought an expression of his opinion might be useful.

I have the honor to be
Sir
Your most obedient Servant

J D Spunt
Survey Commissioner
in Mysore

No. 74/2

Bangalore 9-11-04

From

W. Unicombe Davy Esquire
Deputy Excise Commissioner
in Mysore

To

Col. J. P. Lyrant,
Commissioner of Survey and Settlement
Department in Mysore
Bangalore

Sir,

Adverting to your no 476/1 dated 2-XI-04 I have the honor to State that I fully endorse all you say as to fire-arms representing quite a minor factor in the extinction of small game and your appeal to Local Governments to recognize this fact before it be too late. I also think you are right on the question of licence fees but the provision laid down in the third paragraph of Provision 10 under Provisions as to licenses" seems to have escaped your notice as the area is limited there to 1500 acres. But the Agriculturist should not be asked to take out a license to protect his crops, and in this I quite agree with you, also as regards clause 11 (a) and clause 13 (2)

which however requires further explanation. I am also in accord with you in your remarks on penalties, Clauses 14 to 21 and on clause 9 (3). I agree with part of para 12 but I would make English and other visitors pay a heavier license fee for shooting all game, not Tigers in particular, than those residing in India With para 14 (a) I cordially agree, also (b) & (c). The suggestion in para 15 is as you say excellent, and what you say regarding the issue of licenses "gratis" is quite according to my ideas.

It cannot be too often repeated that small game" needs urgent protection against nets and Snares, and Big Game from the indiscriminate use of fire-arms, by having close seasons and the prohibition of the killing of females and immature males. Your letter together with that of the Government of India and draft Bill are herewith returned as desired.

I have &c
Sd/ W. Vincombe Davy
Dy Excise Commissioner
in Mysore

"Copy"

D Stuart

Secy to Govt

Legis: — Sl No 6 File No 5 Year Leg A 1152

Office of the Conservator of Forests in Mysore,

No. 4181 Dated Bangalore 3rd December 1904.

From,

M. Muthanna Esquire R. B.
Conservator of Forests in Mysore.

To,

B. K. Venkatavaradaiengar Esquire
Secretary to the Government of His Highness the Maharaja of Mysore,
General and Revenue Departments

Sir,

With reference to your letter No J. 686/Leg 5-2 dated the 2nd September 1904, calling for an expression of my views upon the Draft Bill for the preservation of Sandal and

and Fish in British India, I have the honour to submit the following remarks:—

2. The reasons adduced by the Government of India in Support of the Bill may be Summarised as follows:-

(a) That owing to unnecessary and reckless destruction of game and fish there has been a great diminution, and in many cases, of virtual extermination, of game over the greater part of India

(b) That wild birds has been so largely reduced in numbers as to be threatened with speedy extermination; and that the destruction of insectivorous birds can hardly be without injurious effect upon the crops, and

(c) That India is probably alone

among civilised countries in possessing no Game Law for the protection of the local fauna.

3. If the above statements are founded on facts, I certainly think that a strong case has been made out for legislation. If they are, however, based on the reports of interested Sportsmen and casual observers, it seems to me highly inexpedient to pass an enactment, which while increasing the anxieties and burdens of the poorer classes will confer little or no benefit on the country.

4 I shall now proceed to discuss how far the complaint that game has diminished is supported by facts. About one-fifth of the total area of British Lusia

is

is classed as State or Reserved Forests. Shooting, hunting, fishing and setting traps or snares are strictly prohibited by law in such forests. In most British Provinces, rules have been framed under the provision of the Forest Act for the regulation of hunting and pursuit of game. These rules, in all cases, make it obligatory on every one wishing to enter a forest with a firearm to take out a license, for which in most Provinces, a heavy fee is charged. As a rule, licenses are not granted to the natives of the country. In fact, few apply for them owing to the numerous and irksome restrictions imposed upon the licensee. It is, therefore, only the well-to-do Europeans and Eurasians that avail themselves of the licenses.

In every Province rules as to close season and Shooting of females and immature males are strictly enforced. It will thus be seen that special laws already exist for the protection and preservation of all kinds of wild animals and fish. As a result of these laws, there has been an enormous increase of game of all kinds and carnivora; so much so, that cultivation of crops in the neighbourhood of Government forests is rendered almost impossible by the depredations of wild animals; and numerous instances of once prosperous villages being depopulated in consequence can be quoted. I make this statement from personal experience, and my experience extends over several districts in Central and Southern India in the neighbourhood

V

of Government forests, the complaint is that wild beasts have increased enormously during the last 30 years and not that there has been any diminution in their number.

5. In areas lying outside Government forests, which are everywhere insignificant in extent and unimportant — and to which the provisions of the Forest Act are not applicable, there is no doubt that game is scarce, but this is greatly due to extension of cultivation and absence of cover. If preservation of game in such tracts is considered necessary, the object can be best attained by a short enactment enabling Local Governments to enforce a long close season and to prohibit the destruction of does, hinds and fawns.

6. As regards wild birds, full protection

is now afforded by the Finance Department Notification No 5028 - S - R dated 19th September 1902 which prohibits the export from India of the skins and feathers of birds, and therefore this matter calls for no legislation.

7. From the foregoing, I trust, it will be clear that laws for the protection and preservation of game do exist at present and have existed for some 30 or more years; and to satisfy oneself that as a result of this protection there has been an enormous increase of game, he has only to visit the State Forests of the Central Provinces and the long protected forests of Mysore, Madras and Coorg. If the increase continues at this rate, the villages in the vicinity of Government forests will certainly become uninhabitable

and

-and instead of protective, destructive ~
measures will have to be adopted. If
any further regulation is needed as re-
-gards European visitors and as to the
number of animals that may be shot
by an individual licensee, rules could
be easily framed to that effect under
the provisions of the Forest Act; but in
my humble opinion, no special legis-
-lation of the nature now proposed seems
called for.

8. It has been stated (vide paragraph
5 of the Government of India Resolution)
that the diminution of forest game has
compelled the beasts of prey to turn
their attention to cattle and even to
human beings. It is, however, a well-
known fact that tigers prey on cattle
and human beings, chiefly in tracts
where forest game is most abundant,
as for example in Mandla, Bilaspur,

Seoni, Sundrabans and Assam. This may be regarded as a paradox, but it is nevertheless perfectly true, as can be proved by the Statistics published annually by Government.

9. I regret that my views in this matter are opposed to those of many others upon which the Government of India have framed the Bill, but I feel that, knowing as I do the real state of affairs, I am bound to place them before Government unreservedly.

I have the honour to be,

Sir,

Your most obedient Servant,

[signature]

Conservator of Forests in Mysore.

Office of the Conservator of Forests in Mysore,

Dated Bangalore 3rd December 1904.

No 4182

Encl 1

From,

M. Muthanna Esquire R.D.
Conservator of Forests in Mysore.

To,

B. K. Venkatavaradaiengar Esquire
Secretary to the Government of His
Highness the Maharaja of Mysore,
General and Revenue Departments.

Sir,

I have the honour to forward herewith in original letter No 127 dated the 5th November 1904, from Mr. G. C. Ricketts Deputy Conservator of Forests in charge of Game Preserves in Mysore, Expressing his

Yours

views on the Draft Bill to make better provision for the preservation and protection of Game and Fish in British India

I have the honour to be,
Sir,
Your most obedient Servant,

Conservator of Forests in Mysore.

No. 127
Encl. 1

Mysore Game Dept. No. 3396
Dated Camp Heggadadevankote 5th November 1904

RECEIVED 7 NOV 1904 OFFICE OF THE CONSERVATOR OF FORESTS IN MYSORE

Rec'd 7.11.04

From

G. E. Ricketts, Esquire,
Deputy Conservator of Forests,
in charge of Game Preserves.
Bangalore

To

Rai Bahadur. M. Muthanna, Esqur
Conservator of Forests in Mysore.
Bangalore

Sir

I have the honour to return herewith copy of letter No. 1082/90, dated the 23rd May 1904, from the Government of India in the Home Department, together with the draft of the Bill to make better provisions for the preservation and protection of Game and Fish with an expression of my views on the subject, which, I regret to say are necessarily very meagre, in as much as the extension of the Bill covers an area in which the existence and distribution of forests

are

are so large and which depend in the first place, on its geographical situation and configuration and consequent physical conditions, or shortly expressed, on the climate; and in a secondary degree on the interference of man. In expressing my views, I have carefully avoided any very special restraints, my object throughout being to protect game without undue injury to the interests of the people.

2. In para 7 of the Resolution of 1885, it is said "The Governor General in Council believes it to be established that the extent to which wild birds are at present destroyed in India generally is not so considerable, as has sometimes been alleged, and that such diminution of wild-life as has taken place is probably not more than is naturally and properly incidental to the extension of cultivation as at present advised. His Excellency in Council does not consider that any very strong case has been made out for legislation

life in India incidental to the extension of cultivation can naturally be discussed only in a very general way on account of the vast extent of the Empire and also because the boundary of the reciprocal influence of cultivation on the diminution of wild life, and wild life on the extension of cultivation is debatable ground on which not only local Governments and Societies, but also individuals have taken up most extreme and divergent positions. The general belief which I also participate, is however that the existing diminution of wild life in India is far greater than the consequent incidental extension of cultivation on wild life should be, and in parts, become a real danger amounting almost to the virtual extermination of certain classes of wild life

3/. It is, however, accepted by all authorities on the subject under consideration, that the necessity of a Game law applicable to the whole of British India is an established fact. The sufficiency, suitability or distribution, which is to

mainly

mainly considered, depends mainly on the geographical distribution of land, cultivation, water, forests, the position, slope and height of mountain ranges as well as from the existence of herbivorous wild animals, insectivorous birds, carnivorous animals and the forest tribes dependent more or less solely on game for an existence

5. There are certain species of game, such as, migratory birds, which need protection only against netting; and there are wild beasts, dangerous either to human beings or to cattle and pigs which need no protection. But there are some other species of wild animals and birds which not only require protection, but which need rest, the destruction of which should be prohibited for a number of years according to the local circumstances.

6 Clause 11 provides for the produce and shower up licenses. In lieu of "Extra Assistant Conservator" "Ranger" may be substituted.

Clause 9(3) and clause 12 are very necessary and important.

In dividing the classes of sportsmen

Europeans and Eurasians will be hardly dealt with, as they will be required to pay a far higher rate for a license than the natives in the service of the Crown whose salaries, in many cases, are large. I would suggest that the sportsmen in India be divided in the following classes: —

(1) Natives of India whose income is less than Rs100/- per mensem; (2) Other residents in India; and (3) visitors.

I am not sure, if it would not be more efficacious and generally appreciated if the question of licenses be given a very liberal recession such as the granting of free licenses to the residents in India subject to the provisions of the Bill, with a long "close season" which should be strictly enforced; visitors, of course, being charged a license fee

8. Regarding Tiger-shooting by visitors there seems to be no necessity to make any special provision; the privileged to indulge in unlimited tiger shooting is almost an impossibility, taking into consideration the local knowledge, time and money required.

Elephants are sufficiently protected by the special Acts already in force.

9 (a) It seems undesirable to prohibit the sitting up over water holes in order to shoot the animals which come to water.

(b) The export of horns, skins, and other trophies of game are not likely to attain any injurious dimension, but will undoubtedly, after the passing of the Bill to protect game, fall off.

(c) Though bird-nesting is not generally practised in India, it seems desirable to include in the Bill, some provision for the protection of eggs.

10. The revenue from license-fees levied under the proposed enactment, could not be more advantageously employed than in the appointment of an officer for the administration of Game Law. The alternative suggestion for the employment of the revenue, viz., that guns be provided gratis for protection of crops and destruction of dangerous animals would I am afraid, lead to many charges, false and true, being brought against the free license-holders.

In conclusion, I am of opinion, that legislation for the protection of game is justifiable and desirable. The Mysore Game Laws have been [illegible] for three years and have in no way

55

proved a handship to the cultivator, the jungle tribes, or shikaries

I have the honour to be,

Sir,

your most obedient Servant,

Geo. L. Ricketts

Deputy Conservator of Forests

in charge of Game Preserves.

5.11.04.

Sl No 8
File No 55 for (1905) - Legislative

J. 1342 5-6

GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE.

GENERAL AND REVENUE SECRETARIAT.

No. , dated the 22 Dec 1904.

9/1660
Legis 5-4 (Legislative)

REPLY.

No. 2 , dated the 24th Dec 1904

To

The Honorary Secretary
Game & Fish Preservation
Association,
Saklespur

To

The Secretary to the Government of
H. H. the Maharaja of Mysore,
General and Revenue Dept.

SUBJECT.

Request him to favour Government with the views of the Association on the bill proposed to be passed by the Govt of India as to protection & Preservation of Game & Fish

The Mysore Game & Fish Preservation Association is in favor of Game Laws being brought into force in B. India.

They would beg to protest against the idea of there being 1 fee for Govt Officials & one for private residents. Visitors to the country should be charged a much higher fee

This Assoc is in favor of a very moderate fee being charged for shooting license. Otherwise it will come very hard on soldiers & Eurasians drawing small salaries.

We would suggest a sliding scale, say equal to 5% of 1 months salary.

It is hoped that the British Govt will take steps to see the laws are enforced, after they are brought into force.

I have etc

Sir,

I am directed to invite attention to the marginally noted communication and to request that the Government of His Highness the Maharaja may be informed, in the column opposite, ~~of the cause of delay in furnishing a reply and~~ of the approximate date on which reply may be expected.

* No. 1633-6 Legs 5-4. dated 3/9/04

I am also to request that the reply to this reminder may be sent not later than the 4th January 1905.

I have, etc.,

Secretary to Govt

To Secretary

* Previous reminder. J 1345-16 & 21/11/04. Legs 4

Thos Hamil
Hony Secretary

G: R. S. 46

G.R.S. 26]

5-7

Legis File No. 5

Serial No 9.

Diary No. of letter replied to ———

Pol. No. 747.

Enc: 2.

General and Rev. Secretariat

( )

, *the* /190

Date of issue 3 - 3 - 1905

Signed by W. B. K. Venkata-
varada Iyengar

To

The Irish Asstt to the Hon'ble
the Resident in Mysore.

Sir,

Adverting to your letter No 3502, dated the 23rd July 1902, forwarding for the information of the Durbar, a copy of letter No 1082/90, dated the 23rd May 1904 from the Govt of India in the Home Deptt. together with a draft Bill to make better provision for the protection and preservation of game and fish, I am directed to forward herewith for information, copies of the marginally noted communications on the subject, ~~received from~~ No 299 dated 20th September 1904 and No 2, dated 24th December 1904, received, respectively, from Col:

over.

Hay R
Hay O

May M.

SUBJECT.

Legis
7/3/05

Col. J. P. Grant, Survey and Settlement Commissioner in Mysore and the Honorary Secretary of the Mysore Game and Fish Preservation Association, Mysore

I have &c

25.2.1905

Secy.

24/2/05

24/2/05

List of enclosures,

Two only

28/2/05

Copied by 25/2/05

Examined by 28/2/05